



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 18<sup>TH</sup> STREET - SUITE 300

DENVER, CO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

APR 26 2004

PUBLIC  
DOCUMENT

Ref: ENF - RC

Dan Miller  
Natural Resources & Environment  
CERCLA Litigation Section  
Office of the Attorney General  
1525 Sherman Street - 5th Floor  
Denver, CO 80203

**Re: Notice Pursuant to Section 122(j) of the Comprehensive Environmental Response, Compensation, and Liability Act: Participation in Negotiations Regarding the Vasquez Boulevard/Interstate -70; OU 1**

Dear Mr. Miller:

The U.S. Environmental Protection Agency (EPA) hereby notifies the State of Colorado, Colorado Dept. of Public Health & Environment, as a State Natural Resource Trustee, in accordance with Section 122(j) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9622(j), of pending settlement negotiations concerning the Vasquez Boulevard/ Interstate -70; Operable Unit 1 (VB/70; OU1).

The VB/ 70 Site, OU1 includes the residential soils contaminated with heavy metals, including, but not limited to, arsenic and lead, in and around the north Denver area. The description of this site was published in the Federal Register on January 19, 1999. EPA is currently remediating contaminated residential properties. The action level of the residential clean-ups is 70 ppm



**Notice to State Natural Trustees Pursuant to Section 122(j) of CERCLA: Participation in Negotiations  
Regarding the Vasquez Boulevard/Interstate -70; OU 1**

arsenic and 400 ppm lead. In addition, a program of on-going soil sampling will be implemented for lead and arsenic at all residential properties within the Site that have not already been adequately tested.

The EPA is currently negotiating a Remedial Design/Remedial Action (RD/RA) settlement for OU1 of the VB/70 site. We encourage your continued participation as the State Natural Resource Trustee in these negotiations. EPA will ensure the reservation of Natural Resource Damage claims pending any other decision by the State Natural Resource Trustee.

Please contact my staff person, Dawn Tesorero, Enforcement Specialist at 303/312/6883 to engage in these negotiations.

Sincerely,

A handwritten signature in cursive script, reading "Sharon L. Kercher".

Sharon L. Kercher, Director  
Technical Enforcement Program

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Fax Transmittal Cover Sheet

TO DAN Miller

Agency / Company NATURAL Resources & ENVIRONMENT

City Denver State CO

Fax Number 303-866-3558

Phone Number \_\_\_\_\_

Number of Pages 3

From DAWN Tesorero

Phone Number 303-312 6883

COMMENTS-----  
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FAX NUMBER: 303.312.6409

Date 4/26/04 / Time \_\_\_\_\_ / Sender \_\_\_\_\_

